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Hamilton, MT  
406 363 5495

**RECEIVED**

July 16 2007

**JUL 17 2007**

**Ravalli County Commissioners**

Ravalli County Attorney George Corn  
Ravalli County Commissioners

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Dear Mr Corn and Honorable Commissioners of Ravalli County,

I am writing this to you in Due Process procedure as outlined by State Statute and the advisement of the U.S. Marshal as to that procedure.

"We The People", believe that the City of Hamilton has been grossly negligent in their duties to provide it's citizens with basic human rights and services; and the fact that we must use the roads through Hamilton in our daily lives; we feel that the Civil Rights granted to us under the Constitution of the United States have been Compromised and are being denied to us.

We believe that the Mayor of Hamilton has no control over the Police or City Attorney, The police are operating a Speed Trap within the city, Just Cause is spelled Just Cuz; Criminal acts other than traffic violations take a back seat or are completely ignored. Kenneth Bell has not been a legal officer of the City, and he has acted as a City Attorney and prosecuted the law without sworn authority to do so. Persons cited by the Hamilton Police either plea bargain and pay, or you are held captive within the system for lengthy periods without Fair Trial. There are 183 cases in limbo at this time. City court only has trials 4 or 5 times a year. The HPD is out of control. The City of Hamilton is considering a Citizens Review of the Police Department. The malfeasance of the City of Hamilton and the HPD continues to run unchecked.

On June 19, 2007 citizens testified to Public Record during a regular meeting of the Hamilton City Council, regarding the Conduct of the Hamilton Police Department. More than 14 witnesses testified either by word or in writing stating that they thought they were being denied their Civil Rights, they were being unreasonably harassed, and that the conduct of the officers was incompetent and biased. All crimes not involving the "Speed Trap" scenario are being ignored and not investigated. Several people asked openly for anonymity and were assured by the Mayor that would be the case. The meeting was attended by both the Chief of Police of Hamilton, and the Ravalli County Sheriff. Most of the testimony was spontaneous.

In the News Release the next day regarding the accusations brought forth, the Mayor declared she had investigated thoroughly, that it was all overly exaggerated by an organized group, there was nothing to it, and that it was an isolated case. The Hamilton Police Chief verified her findings.

The City Council thought there was merit to the complaints and at the next Personnel Committee started action to form a panel to investigate Police Procedure, as had been urged by citizens during the testimony. That proposal may or may not be in action as of this writing.

At that Personnel Committee meeting, it was brought to light that the complaint process in place within the city regarding citizen's complaints was suspect. When complaints in writing are given to the city they are passed to the Department who you are complaining about. This was to have drastic effects on the people who testified on June 19<sup>th</sup>.

In almost every instance within days of their testimony, the people who testified on June 19, were further intimidated by new citations, broken windows in their business, and in one instance a man who had asked for anonymity; received word from his attorney that he, the attorney, had been pulled over with lights and siren by an On Duty Hamilton Police officer, who threatened the client and that the attorney was afraid to take the case. The city did not respond to any of the complaints. Other witnesses are implicated and appear in an investigative report to the City Council meant to demean the testimony of the public in regards to the

Hamilton Police. The Police Chief has indicated that he thinks he is under the orders of the City Attorney, and the City Attorney verifies that in his memorandum.

We also asked the committee members if they knew which city officers and officials needed to be sworn in, and they admitted that they did not, although, they did acknowledge that they themselves had sworn oaths.

To further clarify our claims, we ask you to read the Memorandum June 27, 2007 issued to the City Council by Kenneth Bell the so called City Attorney of Hamilton. Mr Bell's Letter was meant to discredit the testimony and reputation of the citizens. We point to the fact that Mr Bell has put in writing clear verification of examples of what they were complaining about, and he openly slanders them. His referral to complaints that were unsigned; as being brought forth by citizens "with neither the courage nor the integrity to sign them". This certainly points to a conspiracy between Mr Bell and Hamilton Police to intimidate the testimony of witnesses in future action.

As previously noted the persons asking for anonymity have certainly been red flagged by Bell, and their rights have been compromised. Whereas; Mr Bell is the only one with access to the files to look up the cases described, he has violated his oath as an Attorney. He has also accessed Federal information files without authority to do so, which certainly increases the severity of what we allude is a desperate Cover Up. This information has been used maliciously in the prosecution of his cases, and merits involvement of Federal agencies to investigate these allegations.

We would point out that Mr Bell based his accusations and further investigation of the persons writing the letters; on the hearsay testimony of "several people have stopped by my office to tell me their versions of what was said there about the HPD". We believe that the Bell Memorandum of June 27, 2007, contains more than enough violations to the Codes of Ethics regarding Attorney conduct to bring forth an investigation of Mr Bell and his dealings with the Hamilton Police Department. It appears Mr Bell is now also acting as a Public Defender.

After reviewing the employment of Mr Bell by the City, we discovered the fact that he had never been Appointed or Sworn up to that time as an Officer of the City of Hamilton. He has worked for the City in some regard since Jan of 2003, but was never appointed or sworn to be the City Attorney until May 20, of this year. As of this writing and to the best of our knowledge he has still not been Sworn in as the City Attorney. This was verified by the City Clerk. (MCA 7-1-4137) The City Council was made aware that there was a problem with the complaint process, and Mr Bell's fraudulent position within the city, by letter and testimony read into the record on July 3, 2007.

It appears that the City of Hamilton knowingly or unknowingly has compromised our Constitutional Rights. Whereas Bell's actions shall compromise the ability of not only the City of Hamilton, but the entire Judicial System of the State of Montana clear to the Supreme Court to give a fair hearing to any case that Mr Bell has prosecuted or investigated during that time frame he was not appointed and sworn. All cases past, present and future are going to be possibly compromised because of the City of Hamilton's Malfeasance. This shall also carry over to the County Sheriff, the County Judicial system, the County Jail, Child Protective Services, Juvenile Court, the Security of the Rocky Mountain Lab, et al, etc. The potential aftermath of this malfeasance can only be perceived as staggering.

We ask that you get an emergency ruling from the Attorney General in regards to the Hamilton City Attorney situation so that further harm is prevented until this can be sorted out,

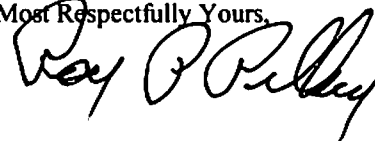
Further we believe that the Hamilton Police Department must be considered "out of control"; and that the Mayor has lost control over the Police and the City Attorney; and that any action heretofore taken by the HPD be considered an illegal act. We would ask that the County bring in the State to restore order and investigate the depth and spread of this appalling state of affairs.

We believe that the City of Hamilton has been operating a Cash Cow Speed Trap, that they have failed to properly conduct duties related to other crime, and that the City Attorney position has been operated by a

person not empowered to do so for over 4 years. These actions have caused grievous harm to citizens and they shall have every right to reapply their civil rights to achieve final justice. The City Council has admitted that there is a problem. The conflict of interest dictates that this must be judged at the County level, and should there be a conflict at this level, we ask that you immediately declare such and formally bring in the Attorney General for disposition.

Therefore, upon receipt of this letter, we ask that the Ravalli County Attorney, and the County Commissioners give this matter your highest priority. We formally submit to you this letter asking for relief of our grievances. We are at your convenience and request a formal publicly announced meeting with you for discussion and advisement.

Most Respectfully Yours,

A handwritten signature in black ink, appearing to read "Ray P. Riley". The signature is fluid and cursive, with the first name "Ray" being more prominent.

7-17-07

June 19, 2007

LT R. P. Pilkey Seattle Fire Dept,(Retired).  
49 Bell Lane  
Hamilton, Mt 59840

The Honorable City Council  
City of Hamilton  
Hamilton Mt, 59840

Dear Citizens,

I am a retired Fire Officer of the City of Seattle, serving from 1966 to 1991. Twenty of those years I served as a Lieutenant. I was involved as Officer in Charge in thousands of Emergency Responses, operating on a regular basis with Law Enforcement officers of both the City, State, and King County. I served many years as a Fire Volunteer for District Sixteen , Kenmore Wa. I was an Officer Instructor teaching five (5) Classes in Fire Recruit Training involving over 175 recruits total. I was one of the first EMT's in the United States when the Seattle Medic One program was instigated in 1969. I was a Lecturer at the University of Washington, College of Fisheries, and I have coached Soccer from Youth to High School. I was fortunate to travel all over the world and interact with other Fire and Police Departments as a representative of the City of Seattle and the United States.

I strongly feel that I am qualified to comment on the conduct of City Emergency Services at any level. I moved to Hamilton, Mt in 2002. Previously I had resided in Grant County in the Columbia Basin of Washington State. This was the largest County in Washington, and was very similar to Ravalli County in all aspects. It is regarded as the most corrupt and dangerous place in Washington.

I have a complete "lack of confidence" regarding all aspects of Law Enforcement in Ravalli County. It appears that most Uniformed Officers have a history of serving or being trained within the City of Hamilton. I assume that Police candidates receive some sort of formal training at an Academy , and are then trained in the field by experienced officers. It appears that the HPD is a clearing house for recruits wishing to enter into a career in Law Enforcement. It also appears that many go on to better jobs, leaving behind a department which is feeding upon itself. In other words, you need fresh blood in here. At present you have the "blind leading the blind", with no end in sight.

The HPD is not highly regarded anywhere. Your officers are not involved in the Community in any manner, they are not friendly, their public appearance is threatening and not welcome. This is not a healthy situation for these officers and their families, or the citizens who come under their jurisdiction and wrath.

The Police motto of "Protect and Serve", is lost in the wind here. This force runs on blatant intimidation and harassment, riding under the banner of "fleece the flock". I believe that they are in "Siege Mentality", ruling the streets with a club, preying on the hapless, weak and vulnerable, Apparently the HPD is there to fill the "City Coffers", where the biggest crime in the world is the "DWIH". (Driving While In Hamilton). In my opinion, they are a "Legalized Gang", and they answer to no one.

Yes there is crime here, and I believe it is totally being ignored by Law enforcement in their ongoing campaign of trumped up statistics regarding the DWIH for "job security. They appear to be incompetent for anything else. Whereas the Police Chief is not an elected official; who is his superior? What rules and laws does the HPD come under? I strongly believe that the "tail is wagging the dog" in the unhealthy status of the HPD. Whom does the public cry out to for relief? Elected officials come and go but the problems remain.

I would call attention to the latest incident where there was an altercation at the Corner Sports Bar, which appears to be both felonious and life threatening.

The Police were called to the Bar, and investigated , arriving approximately 20 minutes after the incident.

Two Card Dealers at the Bar, said that they were accosted in the bathroom by a man whom had started punching them , and that he had cut his head while rolling around on the floor. No witnesses. Thank you, see you later, just another brawl. This case is closed.

Meanwhile at the local Emergency Room, a local man, whom is a disabled Vietnam Vet, was receiving approx 52 stitches to his face and head. The ER Doctor determined it was a wound resulting from a forceful blunt instrument, glass was imbedded in the wound.

Shortly afterwards, another man entered the ER, with a large gash on his hand, reporting that he had been stabbed. It seems he was a Card Dealer at the Corner Sports bar and someone had assaulted him. I wonder if it was some guy with a beer bottle stuck on his head , that hit him in the hand?

It would appear that the officers investigating the incident did not feel that this was worthy of charges being filed in any way. Why was there not some sort of arrest made? There were two very serious assaults here. Someone is lying, someone is not doing his duty, or someone is looking the other way.

I would suggest that this incident strongly smacks of an "on the take" alliance between the Card Dealers and HPD. Whereas the décor in the Bar is strongly indicating a connection to the Hamilton Fire Department, as it seems that one of the owners of the bar is a high ranking Officer in HFD. Does this give that bar a "Look the other way" policy from HPD? All other bars in Hamilton are given a stroll through show of force by "Combat Ready " police officers on a very regular basis. Do city employees and officials get special treatment, gratuities, perks? One of the card dealers was involved in another fight the very next night. Was there a report of this? Has the Department of Revenue been notified of this regarding the licensing of these thugs? Are they still operating within the County? I would like to know.

If the man who got his head split open in the bathroom had attacked and stabbed the Card Dealer, why wasn't he held responsible for something?? If the Card Dealers had attacked the man and he lied to the police, is this not some sort of obstruction of justice? There is obviously a crime here. .

We have a scenario here that points out that the HPD is either Crooked, on the take, showing nepotism to certain individuals, or they are completely inept and incompetent. In my opinion, they are all of these things.

I would urge the City of Hamilton to get a grip on this situation as soon as possible. The incident related here is merely the "tip of the iceberg" in relation to the heap of ongoing malfeasance and incompetence ingrained within the Hamilton Police Department. I believe that the situation here has gone far beyond a quick fix, and I would call for outside help as it seems the City Council is living in the same fear as all of us. I am sending a copy of this letter to the State, and County Commissioners in hopes that there is possibly a file being kept regarding Ravalli County and the City of Hamilton Law Enforcement. I know that the people of this community live in fear of reprisal from this department if they come forward to testify on their concerns. I am certainly one of them. The mood within Ravalli County is volatile.

I would strongly urge the man who was so severely injured in the Corner Sports Bar, to file suit against the City of Hamilton, The Bar, and the individuals who assaulted him. I remind you, he is but the tip of the iceberg. I think that you will find the depth and scope of the problem in Hamilton to be shocking and appalling.

The quality of life in this valley is supposed to be the best, personally I have never been more afraid in my life. Welcome to Hamilton "The Last Worst Place".

July 3, 2007

R.P. Pilkey  
49 Bell Lane  
Hamilton, Mt 59840

City Council  
Hamilton Mt 59840

Dear Citizens, Mayor, and Honorable Council members,

I attended the Personnel Committee meeting last Thursday evening. It presented great promise in bringing to fruition the recommendations of the citizens that an outside panel look into the numerous complaints regarding the Hamilton Police Department and the City Attorney's office. Several things came to light in discussion between the committee and public input.

Most importantly there seems to be a breakdown in the chain of public correspondence and the City Council Members. The public needs to know that their letters will be read by the proper people and in the case of a Complaint, that it will not be investigated by the person that they are complaining about. During these sensitive times any misdirection of such correspondence can be mistaken as a cover up or in a worse case scenario that it will bring further wrath from the person they are trying to report.

The Mayor is in direct control of the Hamilton Police Department, they act on her wishes; the police act on the things that she wants emphasized within the laws that govern the City Of Hamilton. Therefore the Mayor must realize that she cannot investigate herself. The Police Chief of Hamilton is an employee of the city whom answers to the Mayor; he may not investigate himself. The City Attorney is a contracted employee of the City of Hamilton; he may not investigate himself.

The various City Committees, such as the Personnel committee, must be free to conduct their duties as outlined by the City's policy. The Mayor must realize that under corporate rule, she must not take part in any situation where she has a Conflict of Interest; such as a study of her Police Department and their performance. When such Conflicts of Interest arise, the Mayor must declare such and pass the chair to the next person in order, whom is the Chairperson of the Council. The mayor may not cast a vote in any of these instances.

At the Personnel committee meeting, I picked up a copy of a memorandum to the Hamilton City Councilors from Kenneth Bell, Hamilton City Attorney. In this memorandum he openly violates the Code of Ethics of an Attorney. Whereas it appears that Mr Bell has operated within the City of Hamilton Administration for approximately 4 years, most of which time he did not have a contract to do so, and in my opinion, that he was advising the city in a fraudulent manner which has in my opinion, caused the City of Hamilton grievous harm, and has left the City of Hamilton open to further harm from litigation that could arise because of his malfeasance as an attorney for the City. Therefore I believe it would behoove the City to ask assistance of the Montana Bar Association in regards to the handing of this matter. I believe that the memorandum of June 27, 2007 should be held as evidence regarding further investigation of Mr Bell.

I believe that the City of Hamilton has taken a small step in the journey to right itself. I am at your convenience and I wish you well. Please take my suggestions in the manner they are given: I am trying to make things better for all.

**KENNETH S. BELL**  
**Hamilton City Attorney**

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## MEMORANDUM

DATE: June 27, 2007  
TO: Hamilton City Councilors  
FROM: Ken Bell *Ken Bell*  
RE: Proposed Review of Hamilton Police Department

I have daily contact with the Hamilton Police Department (HPD) and its officers. The HPD is staffed by a great group of folks who take their responsibilities seriously, work hard to do a good job, are constantly trying to learn more about their profession and deserve the respect and appreciation of this community.

I was not present at the Hamilton City Council meeting held the evening of Tuesday, June 19, 2007, but several people have stopped at my office to tell me their versions of what was said there about the HPD. I have also read an e-mail and three (3) letters submitted at or in conjunction with that meeting, two of which (letters) were authored by folks with neither the courage nor the integrity to sign them.

Accusations that the HPD is corrupt, crooked and on the take or that its officers are incompetent thugs who mistreat citizens are simply ludicrous. There is no basis in fact for any such accusations, and those who make them do so irresponsibly and without justification. They also do so inaccurately as is illustrated in the two following examples.

The first involves the arrest of a woman for DUI. Throughout the DUI investigation the woman was treated respectfully and considerately. Also throughout the investigation, a DVD of which I have viewed, the woman's husband constantly interfered, insulted the officers and generally acted like an angry, spoiled child. The officers involved had to put the husband in the back of a patrol car so that they could complete the investigation. When the investigation was over, the primary officer released the husband rather than arrest, charge and incarcerate him, which was what the husband had earned and deserved. Despite the husband's false accusations that his wife was mistreated and inappropriately charged, his wife appeared in City Court this week and pled Guilty to DUI Per Se, a slight reduction of the DUI charge offered to every first-time DUI.

The second example is, as one letter-writer termed it, "... an altercation at the Corner Sports Bar." Many ugly accusations against the HPD have been made by several folks about the HPD's alleged lack of performance with regard to investigating that incident. All of the accusations are inaccurate. Some were made by folks who were simply ignorant of the facts but chose to accuse the HPD anyway. Others were made by folks who knew at the time that the accusations they were making were false.

In reality, the HPD responded immediately and investigated the matter non-stop for three (3) full days and part of a fourth. Two officers conducted separate investigations. The individual most seriously injured, though he claims to this day never to have been interviewed, was interviewed three times, once the night of the incident and twice in the ensuing three (3) days. I have been reviewing HPD investigation reports for 4.5 years, and this investigation was one of the best organized, persistent, thorough and well done of all that I have reviewed.

The investigation report was delivered to me on Friday, June 15, 2007, and I reviewed it during part of the next week. Any time there are injuries as serious as those in this "altercation," the investigation report is submitted to the Ravalli County Attorney's office for felony review as the City Attorney's office does not have jurisdiction of felony matters. This investigation was submitted to the County Attorney on Friday, June 22, 2007, when my review was complete. The County Attorney and most of his staff are attending the annual Conference of Montana County Attorneys this week, so the office will not have the opportunity to review the report until next week.

When an incident arises where there are inconsistent reports as to what took place and numerous witnesses to interview, some of whom cannot be interviewed on the scene, HPD officers are too well-trained to cite anyone before an investigation can be completed. In such cases, officers are encouraged to submit investigation reports to me and to let me make the charging decision. In this incident, the officers performed exactly as they are trained to perform, and any accusations by uninformed individuals to the contrary are without merit.

If anyone has a question about the foregoing, please do not hesitate to contact me. Please be warned that the "altercation at the Corner Sports Bar" remains under investigation until charging decisions have been made and, thus, that the matter cannot yet be discussed in any detail greater than you have read here.